

### **REMARKS**

The Examiner in the Action dated January 8, 2004 reopened prosecution following a petition to the Deputy Commissioner that resulted in withdrawal of the improper holding of abandonment. The Action included rejections and objections. A Supplemental Appeal Brief has been separately filed in response to the rejections therein. The objections are traversed herein. Reconsideration is respectfully requested.

#### **The Claim Objection**

As best understood, claim 2 was objected to because it depends from a higher-numbered claim. Appellant traverses the objection to claim 2. The Action is devoid of any legal basis for the objection. The claims (including claim 2) are in compliance with 37 C.F.R. § 1.126. Appellant requests that the Examiner renumber the claims upon allowance, in accordance with 37 C.F.R. § 1.126. Appellant respectfully submits that the objection is not appropriate and should be withdrawn. Appellant likewise traverses and any other objection to any claim, although not specifically addressed in the Action, which may be covertly objected to for the same reason.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Office's convenience.

Respectfully submitted,



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